

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7674 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE K.R.VYAS

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
1 to 5 No.

SHREYAS EDUCATION TRUST

Versus

STATE OF GUJARAT

Appearance:

MR VH DESAI for Petitioner

MR HC PATEL OF M/SPATEL ADVOCATES for the
respondents.

CORAM : MR.JUSTICE K.R.VYAS

Date of decision: 24/11/98

ORAL JUDGEMENT

Rule. Mr. H.C.Patel for M/s Patel Associates,
Government Solicitors , waives service of the Rule on
behalf of the Respondents. At the request of the learned
Advocates, this petition is taken up for final hearing
to-day.

Having heard the learned Advocates appearing for
the parties, it appears that the order dated 8-5-98 at

Annexure "B" was passed against the petitioner without affording any opportunity of being heard to the petitioner-Trust and that is the main grievance of the petitioner-Trust. Mr. H.C.Patel, learned Government Solicitor appearing for the respondents states that the 4th respondent viz Joint Director of Education (Primary) will pass appropriate order afresh in accordance with law after hearing the petitioner.

In view of the above, this petition is partly allowed. The order dated 8-5-98 at Annexure "B" is quashed and set aside. The petitioner-trust shall file reply and furnish the requirement of law before Joint Director of Education (Primary) within a week from to-day. On such details being furnished, the 4th respondent will fix the hearing by calling the petitioner and/or its representative to remain present within fifteen days thereafter and will pass appropriate order afresh in accordance with law after hearing the petitioner. Rule is made absolute to the aforesaid extent with no order as to costs.

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